

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

KEITH FISCHER, MICHAEL O'SULLIVAN,
JOHN MOESER, LOUIS PIA, THOMAS
BARDEN, CONSTANCE MANGAN, and
CHARISE JONES, individually and on behalf of
all others similarly situated,

Plaintiffs,
v.

GOVERNMENT EMPLOYEES INSURANCE
COMPANY,

Defendant.

Case No. 2:23-CV-02848 (SJB) (SLT)

**[PROPOSED] JOINT STIPULATION TO
EXTEND REMAINING CLASS
CERTIFICATION BRIEFING DEADLINES**

Plaintiffs Keith Fischer, Michael O'Sullivan, John Moeser, Louis Pia, Thomas Barden, Constance Mangan, and Charise Jones (collectively, "Plaintiffs"), and Defendant Government Employees Insurance Company ("Defendant"), by and through their attorneys of record, agree and stipulate as follows:

WHEREAS, the parties' Amended Pre-Trial Scheduling Order and Stipulation entered by the Court, *see* ECF Nos. 73 & 74, and the Court's recent Minute Order granting the parties' extension request established deadlines to brief Plaintiffs' anticipated motion for class certification, *see* Jan. 13, 2025 Min. Order;

WHEREAS, the Court previously granted the parties' request for a 14-day extension as to the class certification briefing deadlines, *see* ECF No. 87; Jan. 28, 2025 Min. Order;

WHEREAS, on March 12, 2025, pursuant to the Court's "bundling rule" and the Court's January 28, 2025 Minute Order, Plaintiffs served Defendant with Plaintiffs' motion for class certification;

WHEREAS, the parties have conferred and agree that good cause exists to grant a 30-day extension as to the deadline for Defendant's opposition and to extend the deadline for Plaintiffs' reply from 21 days to 30 days after Defendant's opposition;

NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties, through their respective counsel, that:

1. The remaining briefing deadlines for Plaintiffs' anticipated motion for class certification are extended as follows, with all briefing to be filed by Plaintiffs according to the Court's "bundling rule" on the date of the last submission:

- a. Defendant's opposition: extended from April 11, 2025 to May 12, 2025;
- b. Plaintiffs' reply: extended from May 2, 2025 to June 11, 2025; and

2. All other deadlines in the parties' Amended Pre-Trial Scheduling Order, *see* ECF No. 73, which was approved and entered by the Court, *see* ECF No. 74, remain unchanged.

3. This stipulation is without prejudice to either party seeking additional or different changes to the briefing schedule should they determine such relief is warranted.

Dated: New York, New York
March 21, 2025

By:

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*Attorneys for Plaintiffs and the Putative
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SO ORDERED:

Hon. Steven Tiscione
United States Magistrate Judge